

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

STEPHEN BUSHANSKY, On Behalf of
Himself and All Others Similarly Situated,

Plaintiff,

v.

SURGICAL CARE AFFILIATES, INC.,
ANDREW HAYEK, TODD B. SISITSKY,
THOMAS C. GEISER, KENNETH R.
GOULET, FREDERICK A. HESSLER,
SHARAD MANSUKANI, JEFFREY K.
RHODES, MICHAEL A. SACHS, LISA
SKEETE TATUM,

Defendants.

Case No. 1:17-cv-00211-GMS

**NOTICE OF WITHDRAWAL OF
PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

Plaintiff Stephan Bushansky, by counsel, hereby withdraws his motion seeking a preliminary injunction. In support of this withdrawal, Plaintiff states:

1. On March 9, 2017, the Court so ordered a briefing schedule on Plaintiff's motion, setting Defendants' opposition due March 15, 2017 and Plaintiff's reply due March 16, 2017.

2. Defendant Surgical Care Affiliates, Inc. ("SCA") will file an amended Schedule 14D-9 with the United States Securities and Exchange Commission that will moot the claims raised in Plaintiff's motion (the "Supplemental Disclosures").

3. As a result, *inter alia*, of SCA's agreement to disseminate the Supplemental Disclosures, Plaintiff no longer intends to request a preliminary injunction, and respectfully seeks to vacate the briefing schedule.

4. Plaintiff's counsel has conferred with counsel for Defendants, and defense counsel have no objection to the withdrawal of the motion or vacating the briefing schedule.

Dated: March 14, 2017

RIGRODSKY & LONG, P.A.

/s/ Brian D. Long

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